IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE C.N.RAMACHANDRAN NAIR

WEDNESDAY, THE 30TH MAY 2007 / 9TH JYAISHTA 1929

WP(C).No. 16389 of 2007(A)

PETITIONER:

MUHAMMED @ KUNHAN, S/O.MOHAMMED KUTTY,
AGED 70 YEARS, VALIYAPEEDIYAKKAL HOUSE,
P.O.ARAKKUPARAMBA, MALAPPURAM DISTRICT.

BY ADV. SRI.DEVIDAS.U.K

RESPONDENTS:

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1. THE DEPUTY TAHSILDAR, (REVENUE RECOVERY)
TALUK OFFICE, PERINTALMANNA.

2. THE MANAGER, VIJAYA BANK,
PERINTALMANNA BRANCH, MALAPPURAM DT.

BY G.P. SRI. MOHAMMED RAFFIQ

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 30/05/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

C.N.RAMACHANDRAN NAIR,J.

W.P.C. NO. 16389 OF 2007

Dated this the 30th day of May, 2007

JUDGMENT

Since petitioner has offered to settle liability in instalments on which second respondent cannot have any serious objection, I feel W.P. can be disposed of without notice to them. W.P. is accordingly disposed of directing the petitioner to settle liability in instalments by making payment to the Bank directly. Petitioner is granted 12 equal monthly instalments to clear the arrears exclusive of penal interest. However, if default is committed in payment of any instalment, the instalment facility and waiver of penal interest will stand automatically cancelled. Petitioner will make payment directly to the second respondent, who will issue receipt for production before the first respondent. First instalment will be paid on or before 30.6.2007 and the balance on or before last day of 11 succeeding months until full arrears are cleared. If default is committed, recovery will be continued and in that event collection charges will also be recovered from the petitioner. However, if petitioner settles liability in instalments as

above, then there will be direction to the first respondent not to recover collection charges from the petitioner.

(C.N.RAMACHANDRAN NAIR)
Judge